

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	
EAGLE PROPERTIES AND	)	Bankruptcy Case
INVESTMENTS, LLC,	)	No. 23-10566-KHK
	)	Chapter 7
Debtor.	)	
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**ORDER APPROVING SALE OF 7616 GROVE AVE, HARRISBURG, PA  
FREE AND CLEAR OF LIENS, CLAIMS AND INTERESTS  
PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 542) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 7616 Grove Avenue, Harrisburg, Pennsylvania (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the proposed sale is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that Fulton Bank, N.A. and Bala Jain, LLC have consented to the sale of the Property as set forth herein, free and clear of all liens, claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell the Property<sup>1</sup> to ANNN Investment LLC (the

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<sup>1</sup> Having the following legal description:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF GROVE AVENUE PLOTTED FORTY (40) FEET

“Purchaser”) for \$267,500 consistent with the sales contract attached to the Motion.

3. The Trustee is authorized to pay the secured claim of Fulton Bank, N.A. at closing as set forth in the draft ALTA attached hereto as Exhibit A (“ALTA”), and the consent of Fulton Bank, N.A. to the sale is conditioned on such receipt.

4. The sale shall be free and clear of that certain Praeipue to Index Action as Lis Pendens filed by Bala Jain, LLC in the Land Records of Dauphin County, Pennsylvania as Instrument Number 20220024614 pursuant to 11 U.S.C. § 363(f).

5. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$8,025.00 representing his commission under Section 326 of the Bankruptcy Code plus \$13,375.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

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WIDE, WHICH POINT IS IN THE EASTERLY LINE OF LOT NO. 8 ON THE PLAN HEREINAFTER REFERRED TO; THENCE ALONG THE EASTERLY LINE OF SAID LOT NO. 8 NORTH FIVE DEGREES FORTY-THREE MINUTES WEST (N 5 43 W) EIGHTY-FOUR AND TWENTY-FIVE HUNDREDTH (84.25) FEET TO A POINT IN THE SOUTHERLY LINE OF LOT NO.64 NOW OWNED BY DR. E. D. LEIBY; THENCE ALONG SAID LEIBY PREMISES KNOWN AS LOT NO.64 AND ALONG LOT NO. 65 NOW OWNED BY JOHN E. MINEHOFF NORTH EIGHTY-ONE DEGREES SEVENTEEN (17) MINUTES EAST (N 81 17 E) ONE HUNDRED THIRTYNINE AND FORTY-EIGHT HUNDREDTH (139.48) FEET TO A POINT IN THE WESTERLY LINE OF LANDS NOW OR LATE OF PAUL E. MYERS; THENCE ALONG SAID MYERS PROPERTY SOUTH NO DEGREES FORTY-FOUR MINUTES EAST (S 0 44 E) EIGHTY-FIVE AND TWENTY-SEVEN HUNDREDTH (85.27) FEET TO A POINT IN THE NORTHERLY LINE OF GROVE AVENUE; THENCE ALONG SAID GROVE AVENUE SOUTH EIGHTY-EIGHT DEGREES THIRTY-ONE MINUTES WEST (S 88 31 W) THIRTY-NINE AND FORTY-FIVE HUNDREDTH (39.45) FEET TO A POINT; THENCE STILL ALONG SAID GROVE AVENUE SOUTH SEVENTY-NINE DEGREES TWENTY MINUTES WEST (S 79 20 W) SIXTY-FIVE AND SEVENTEEN HUNDREDTH (65.17) FEET TO A POINT AND THENCE STILL ALONG SAID GROVE AVENUE SOUTH SEVENTY-SIX DEGREES NINETEEN MINUTES WEST (S 76 19 W) TWENTYEIGHT AND EIGHT HUNDREDTH (28.08) FEET TO A POINT, THE PLACE OF BEGINNING.

THE ABOVE-DESCRIBED PREMISES ARE SUBJECT TO A RIGHT-OF-WAY HELD BY THE PENNSYLVANIA POWER AND LIGHT COMPANY AND ANOTHER RIGHT-OF-WAY BY THE BELL TELEPHONE COMPANY AS NOW EXISTING.

ALSO, TOGETHER WITH AND SUBJECT TO THE TERMS AND PROVISIONS OF MAINTENANCE AGREEMENT (PRIVATE ROAD) DATED 7-1-1993, RECORDED 9-20-1993, IN BOOK 2059, PAGE 145.

SAID PROPERTY BEING KNOWN FOR PURPOSES OF ASSESSMENT AND TAXATION PURPOSES AS PROPERTY IDENTIFICATION NO. 68-031-098-000-0000.

6. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay a two and one half percent (2.5%) commission to Prime Realty Services at closing for services rendered in representing the Buyer in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

9. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

10. This Order may be recorded in the land records wherein the subject Property is located.

11. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

12. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Aug 30 2024

/s/ Klinette H Kindred  
United States Bankruptcy Judge

Entered On Docket: Aug 30 2024

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
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Washington, DC 20001  
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By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, Maryland 21202  
Phone/Fax No. (410) 576-4194  
E-mail: [dmusgrave@gfllaw.com](mailto:dmusgrave@gfllaw.com)

BY: /s/David S. Musgrave (by DGT with authority)  
David S. Musgrave (Bar No. 35327)

*Attorneys for Fulton Bank, N.A.*

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catocin Circle, NE, Suite 300  
Leesburg, Virginia 20176  
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BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache

Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY  
PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

David S. Musgrave  
GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, MD 21202

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176

## **Exhibit A**

American Land Title Association

ALTA Settlement Statement - Combined

Adopted 05-01-2015

**Universal Settlement Services of PA**

**ALTA Universal ID:**

**1423 N Atherton Street**

**2nd Floor**

**State College, PA 16803**

File No./Escrow No. : PA-24-1282  
 Print Date & Time: August 29, 2024 10:57 am  
 Officer/Escrow Officer : Brandy McAulay  
 Settlement Location : 1423 N Atherton Street, 2nd Floor  
 State College, PA 16803

Property Address: 7616 Grove Avenue  
 Harrisburg, PA 17112

Borrower: Annn Investment LLC  
 818 Mountain View Street  
 Harrisburg, PA 17112

Seller: H. Jason Gold, Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and  
 Investments, LLC  
 PO Box 57359  
 Washington, DC 20037

Lender: The Lending Group Company

Settlement Date: September 13, 2024

Disbursement Date: September 13, 2024

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	267,500.00	Sale Price of Property	267,500.00	
		Deposit		10,000.00
		Loan Amount		208,000.00
1,000.00		Seller Credit		1,000.00
		<b>Prorations/Adjustments</b>		
	30.52	Sewer 09/13/24-10/01/24	30.52	
	328.44	City/Town Taxes 09/13/24 - 12/31/24	328.44	
	1,780.51	Assessments 09/13/24 - 06/30/25	1,780.51	
		<b>Title Charges and Escrow/Settlement Charges</b>		
		CPL to Fidelity National Title Insurance Company	125.00	

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Title Charges and Escrow/Settlement Charges (continued)</b>		
		Lender's Title Insurance to Universal Settlement Services of PA Coverage: 208,000.00 Disclosed Premium: 1,640.60	1,640.60	
		TIRBOP Endorsement 100 (Covenants, Conditions and Restrictions) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 300 (Mortgage Survey Exception) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 900 (Environmental Protection Lien - Residential) to Universal Settlement Services of PA	100.00	
		Deed Prep to The Nittany Group	150.00	
1,100.00		Final Sewer to Universal Escrow		
250.00		Final Water to Universal Escrow		
		Owner's Title Insurance to Universal Settlement Services of PA Coverage: 267,500.00 Disclosed Premium: 342.00	342.00	
		Tax Cert Fee to Universal Settlement Services of PA	95.00	
		Title Search Fee to Universal Settlement Services of PA	100.00	
		<b>Commissions</b>		
8,025.00		Commission - Listing Agent to Century 21 New Millennium		
6,687.50		Commission - Selling Agent to Prime Realty Services		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees to Dauphin County Recorder of Deeds	307.50	
2,675.00		Transfer Tax to Dauphin County Recorder of Deeds	2,675.00	
		<b>Miscellaneous</b>		
1,226.61		2024 county/twp taxes to West Hanover Township Tax Collector		
2,752.02		2024 school taxes to West Hanover Township Tax Collector		
8,025.00		326(a) Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		
		Attorney Title Exam Fee to RL Title and Escrow, Inc.	150.00	
13,375.00		Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		



Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Miscellaneous (continued)</b>		
7,964.40		delinquent taxes to Dauphin County Tax Claim		
150.00		Settlement and Closing Fee to RL Title and Escrow, Inc.	895.00	
216,408.94		Short Sale Proceeds to Fulton Bank to Fulton Bank		
Seller			Borrower	
Debit	Credit		Debit	Credit
269,639.47	269,639.47	<b>Subtotals</b>	276,419.57	219,000.00
		<b>Due from Borrower</b>		57,419.57
269,639.47	269,639.47	<b>Totals</b>	276,419.57	276,419.57

### Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Universal Settlement Services of PA to cause the funds to be disbursed in accordance with this statement.

Borrower

Annn Investment LLC

BY: \_\_\_\_\_

Seller

H. Jason Gold, Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and Investments, LLC

BY: \_\_\_\_\_

\_\_\_\_\_  
Brandy McAulay  
Escrow Officer